

UNOFFICIAL VERSION

This is a draft version of the Senate Journal and is UNOFFICIAL until formal adoption.

THURSDAY, FEBRUARY 15, 2018

FIFTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Chaplain Major Mark D. Phillips, PhD of the Tennessee National Guard from Lebanon, Tennessee, a guest of Senator Green.

PLEDGE OF ALLEGIANCE

Senator Green led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Green led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

COMMUNICATION

February 14, 2018

Lt. Governor Randy McNally
425 5th Avenue North
Suite 700 Cordell Hull Bldg.
Nashville, TN 37243

Dear Speaker McNally:

Please be advised that due to bronchitis and the flu, I will not be present for Session on Thursday, February 15, 2018. I plan to return to Nashville by the 20th.

Sincerely,

/s/ Sara Kyle

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1485, 1486, 1675 with amendment, 1688, 1736, 1905 with amendment, 1927, 2254, 2347, 2683 with amendment and 2685; also, recommend that Senate Bill No. 2241 be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
February 13, 2018

The Speaker announced that he had referred Senate Bills Nos. 1485, 1486, 1675 with amendment, 1688, 1736, 1905 with amendment, 1927, 2254, 2347, 2683 with amendment and 2685 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2241 to the Committee on Finance, Ways and Means.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 123 with amendment; also, recommend that Senate Bill No. 2236 be referred to Committee on Finance, Ways and Means.

JOHNSON, Chairperson
February 13, 2018

The Speaker announced that he had referred Senate Bill No. 123 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2236 to the Committee on Finance, Ways and Means.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1504 with amendment, 1645 with amendment, 1716 and 1870; and Senate Joint Resolutions Nos. 544, 563 and 564; also, recommend that Senate Bills Nos. 1789 with amendment, 1865 and 1875 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
February 13, 2018

The Speaker announced that he had referred Senate Bills Nos. 1504 with amendment, 1645 with amendment, 1716 and 1870; and Senate Joint Resolutions Nos. 544, 563 and 564 to the Committee on Calendar.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

The Speaker announced that he had referred Senate Bills Nos. 1789 with amendment, 1865 and 1875 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1530, 1538, 1552, 1560, 1564, 1569 and 1731; also, recommend that Senate Bill No. 1709 with amendment be referred to Committee on Energy, Agriculture and Natural Resources; and Senate Bill No. 1926 be referred to Committee on Commerce and Labor.

BELL, Chairperson
February 14, 2018

The Speaker announced that he had referred Senate Bills Nos. 1530, 1538, 1552, 1560, 1564, 1569 and 1731 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1709 with amendment to the Committee on Energy, Agriculture and Natural Resources.

The Speaker announced that he had referred Senate Bill No. 1926 to the Committee on Commerce and Labor.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2133 with amendment.

KELSEY, Chairperson
February 14, 2018

The Speaker announced that he had referred Senate Bill No. 2133 with amendment to the Committee on Calendar.

TRANSPORTATION AND SAFETY

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1474 with amendment, 1588, 1721 and 2690.

BAILEY, Chairperson
February 14, 2018

The Speaker announced that he had referred Senate Bills Nos. 1474 with amendment, 1588, 1721 and 2690 to the Committee on Calendar.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1495 with amendment, 1774,

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

1777 and 2071 with amendment; Senate Joint Resolutions Nos. 506, 520 and 562; and House Joint Resolutions Nos. 649 and 711.

CROWE, Chairperson
February 14, 2018

The Speaker announced that he had referred Senate Bills Nos. 1495 with amendment, 1774, 1777 and 2071 with amendment; Senate Joint Resolutions Nos. 506, 520 and 562; and House Joint Resolutions Nos. 649 and 711 to the Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1510 with amendment, 1513, 1514 with amendment, 1624 with amendment, 1665 with amendment and 1804; and Senate Resolution No. 150; also, recommend that Senate Bill No. 2571 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson
February 14, 2018

The Speaker announced that he had referred Senate Bills Nos. 1510 with amendment, 1513, 1514 with amendment, 1624 with amendment, 1665 with amendment and 1804; and Senate Resolution No. 150 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2571 with amendment to the Committee on Finance, Ways and Means.

PRESENTATION

Senators Bailey and Johnson introduced Ms. Donna Vincler, Ms. Tennessee Senior America 2017 to the Senate.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bills Nos. 2725 and 2726** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILLS

The Speaker announced the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2725 by Senators Jackson and Niceley.

Alamo -- Subject to local approval, rewrites the charter for the Town of Alamo. Amends Chapter 557 of the Private Acts of 1911; as amended.

Senate Bill No. 2726 by Senator Crowe.

Carter County -- As introduced, allows removal of overgrown vegetation and accumulated debris on owner-occupied residential property. Amends TCA Section 5-1-115.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 108, 1536 and 1702** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 108 -- Abortion -- As introduced, prohibits abortions from the point a fetal heartbeat is detected; requires fetal heartbeat testing prior to an abortion; creates exceptions. Amends TCA Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2.

House Bill No. 1536 -- Public Funds and Financing -- As introduced, adds debit card fraud to the definition of unlawful conduct that must be reported to the comptroller of the treasury; adds certain certified public accountants and firms to those with a duty to report unlawful conduct to the comptroller; removes immunity from those reporters who knowingly provide false information. Amends TCA Title 8, Chapter 4, Part 5.

House Bill No. 1702 -- Libraries -- As introduced, renames the regional library for the blind and physically handicapped to the regional library for accessible books and media; updates antiquated language regarding persons with disabilities within statutory provisions relative to the state library system. Amends TCA Title 10, Chapter 1, Part 1.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 2724** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 2724 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 599 through 610** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 599 by Senator Haile.
Memorials, Public Service -- Barbara Brake.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

Senate Joint Resolution No. 600 by Senator Haile.

Memorials, Recognition -- David Collins, 2017-2018 LifeChanger of the Year nominee.

Senate Joint Resolution No. 601 by Senator Ketron.

Memorials, Recognition -- James R. Morrison, Jr., Supreme Tall Cedar of the Tall Cedars of Lebanon of North America.

Senate Joint Resolution No. 602 by Senator Gresham.

General Assembly, Statement of Intent or Position -- Encourages Tennessee to adopt a statewide, honorary Work Ethic Diploma.

Senate Joint Resolution No. 603 by Senator Crowe.

Memorials, Recognition -- Mountain Dew.

Senate Joint Resolution No. 604 by Senator Crowe.

Naming and Designating -- Names the visitor center at Tipton-Haynes Historic Site in honor of Penny McLaughlin.

Senate Joint Resolution No. 605 by Senator Bailey.

Memorials, Death -- David Wayne Sherrell.

Senate Joint Resolution No. 606 by Senator Gresham.

Memorials, Recognition -- Deborah Denise Oakley.

Senate Joint Resolution No. 607 by Senator Kelsey.

Memorials, Recognition -- New Olivet Baptist Church.

Senate Joint Resolution No. 608 by Senator Southerland.

Memorials, Retirement -- Sgt. Rick Harmon.

Senate Joint Resolution No. 609 by Senator Southerland.

Memorials, Professional Achievement -- Robert Boggs, VBI Peter J. Salmon Award.

Senate Joint Resolution No. 610 by Senator Southerland.

Memorials, Professional Achievement -- Robert Hayworth, VBI Milton J. Samuelson Career Achievement Award.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 764 through 769 and 778; Senate Joint Resolutions Nos. 594 through 598; and Senate Resolutions Nos. 163 through 167** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 764 -- Memorials, Professional Achievement -- Haley Lee, Jefferson County Teacher of the Year, Grades Pre-K-4.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

The Speaker announced that he had referred House Joint Resolution No. 764 to the Committee on Calendar.

House Joint Resolution No. 765 -- Memorials, Professional Achievement -- Michele Parks, Jefferson County Teacher of the Year, Grades 5-8.

The Speaker announced that he had referred House Joint Resolution No. 765 to the Committee on Calendar.

House Joint Resolution No. 766 -- Memorials, Professional Achievement -- Chip Watkins, Jefferson County Teacher of the Year, Grades 9-12.

The Speaker announced that he had referred House Joint Resolution No. 766 to the Committee on Calendar.

House Joint Resolution No. 767 -- Memorials, Recognition -- PurSolutions LLC, National Science Foundation grant recipient.

The Speaker announced that he had referred House Joint Resolution No. 767 to the Committee on Calendar.

House Joint Resolution No. 768 -- Memorials, Recognition -- 2018 World's Biggest Fish Fry Princess Court.

The Speaker announced that he had referred House Joint Resolution No. 768 to the Committee on Calendar.

House Joint Resolution No. 769 -- Memorials, Recognition -- Monty's Barber Shop, 5th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 769 to the Committee on Calendar.

House Joint Resolution No. 778 -- General Assembly, Recess & Reconvene -- Recesses general assembly for President's Day holiday.

The Speaker announced that he had referred House Joint Resolution No. 778 to the Committee on Calendar.

Senate Joint Resolution No. 594 -- General Assembly, Confirmation of Appointment -- Frank Cagle, State Textbook and Instructional Materials Quality Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 594 to the Committee on Education.

Senate Joint Resolution No. 595 -- General Assembly, Confirmation of Appointment -- Neel Durbin, State Textbook and Instructional Materials Quality Commission.

The Speaker announced that he had referred Senate Joint Resolution No. 595 to the Committee on Education.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

Senate Joint Resolution No. 596 -- Memorials, Recognition -- First Lieutenant William McBryar.

The Speaker announced that he had referred Senate Joint Resolution No. 596 to the Committee on Calendar.

Senate Joint Resolution No. 597 -- Memorials, Recognition -- Tennessee Work Ethic Diploma program.

The Speaker announced that he had referred Senate Joint Resolution No. 597 to the Committee on Calendar.

Senate Joint Resolution No. 598 -- Memorials, Professional Achievement -- Ron Becker, 2018 Sumner County Principal of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 598 to the Committee on Calendar.

Senate Resolution No. 163 -- General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Civil Procedure, as promulgated and adopted by the Tennessee Supreme Court.

The Speaker announced that he had referred Senate Resolution No. 163 to the Committee on Judiciary.

Senate Resolution No. 164 -- General Assembly, Review or Ratification of Rules -- Approves and ratifies the amendments and revisions to the Tennessee Rules of Evidence, as promulgated and adopted by the Tennessee Supreme Court.

The Speaker announced that he had referred Senate Resolution No. 164 to the Committee on Judiciary.

Senate Resolution No. 165 -- General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Appellate Procedure, as promulgated and adopted by the Tennessee Supreme Court.

The Speaker announced that he had referred Senate Resolution No. 165 to the Committee on Judiciary.

Senate Resolution No. 166 -- General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Criminal Procedure, as promulgated and adopted by the Tennessee Supreme Court.

The Speaker announced that he had referred Senate Resolution No. 166 to the Committee on Judiciary.

Senate Resolution No. 167 -- General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Juvenile Procedure, as promulgated and adopted by the Tennessee Supreme Court.

The Speaker announced that he had referred Senate Resolution No. 167 to the Committee on Judiciary.

CONSENT CALENDAR NO. 1

House Joint Resolution No. 748 -- Memorials, Personal Achievement -- Jonathan Christopher Whaley, Eagle Scout.

House Joint Resolution No. 749 -- Memorials, Recognition -- City of Rockwood, 150th Anniversary.

House Joint Resolution No. 750 -- Memorials, Recognition -- Fred Jones, Jr.

House Joint Resolution No. 751 -- Memorials, Personal Achievement -- Benjamin Robert Blaylock, Eagle Scout.

House Joint Resolution No. 752 -- Memorials, Personal Achievement -- Luke Love, Eagle Scout.

House Joint Resolution No. 753 -- Memorials, Personal Achievement -- Henry Parker, Eagle Scout.

House Joint Resolution No. 754 -- Memorials, Sports -- Gibbs High School wrestling team, TSSAA Class A-AA Dual State Champion.

House Joint Resolution No. 755 -- Memorials, Personal Occasion -- Bethel Cantrell Williams, 100th Birthday.

House Joint Resolution No. 756 -- Memorials, Sports -- Friendship Christian School girls' bowling team, TSSAA Division II State Champions.

House Joint Resolution No. 757 -- Memorials, Recognition -- Marjorie Quin.

House Joint Resolution No. 758 -- Memorials, Recognition -- 2018 World's Biggest Fish Fry Princess Court.

House Joint Resolution No. 760 -- Memorials, Recognition -- Manassas High School Alumni Association.

House Joint Resolution No. 761 -- Memorials, Recognition -- Joseph Edward Gryder, 2018 Rhea County Republican of the Year.

Senator Roberts moved that all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg,

Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 1486 -- Public Funds and Financing -- As introduced, adds debit card fraud to the definition of unlawful conduct that must be reported to the comptroller of the treasury; adds certain certified public accountants and firms to those with a duty to report unlawful conduct to the comptroller; removes immunity from those reporters who knowingly provide false information. Amends TCA Title 8, Chapter 4, Part 5.

On motion, Senate Bill No. 1486 was made to conform with **House Bill No. 1536**.

On motion, House Bill No. 1536, on same subject, was substituted for Senate Bill No. 1486.

Senate Bill No. 1485 -- Taxes, Ad Valorem -- As introduced, removes requirement that a property owner seeking exemption of certain property from ad valorem taxation from the state board of equalization file an application for each parcel for which exemption is sought; deletes the requirement that the county assessor of property submit a record of the county board of equalization's changes to the state board of equalization. Amends TCA Title 67, Chapter 5.

Senate Bill No. 1688 -- Political Parties -- As introduced, prohibits a statewide political party or recognized minor party from adopting a party rule that would preclude an honorably discharged veteran from qualifying as a candidate for office based on the number of times the veteran voted during the previous three general elections. Amends TCA Title 2, Chapter 13, Part 1.

Senate Bill No. 1736 -- Economic and Community Development -- As introduced, authorizes an industrial development corporation to acquire a hotel, motel, or apartment building for a project of the corporation located in Shelby County. Amends TCA Section 7-53-302.

Senate Bill No. 1927 -- Veterans -- As introduced, adds a representative for military veteran recipients to be appointed as a member of the statewide planning and policy council. Amends TCA Section 33-1-401.

Senate Bill No. 2254 -- Holidays and Days of Special Observance -- As introduced, designates the last full week of February each year as "Tennessee Songwriters Week." Amends TCA Title 15, Chapter 2.

Senate Bill No. 2347 -- Planning, Public -- As introduced, authorizes the City of Cleveland to participate in the Tennessee local land bank program. Amends TCA Title 13, Chapter 30.

Senate Bill No. 2685 -- Housing -- As introduced, extends protections and immunities available under state law for housing authorities to entities that an authority or an entity affiliated with an authority may form, incorporate, or partner or participate with, for purposes of managing or developing mixed-finance housing projects. Amends TCA Title 13, Chapter 20, Part 1.

Senator Roberts moved that all Senate and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

CALENDAR

Senate Joint Resolution No. 494 -- Constitutional Amendments -- Proposes additional language in Article II, Section 28 to prohibit the general assembly from levying or permitting any state or local tax upon income derived from stocks and bonds that are not taxed ad valorem.

Senator Kelsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution, for the second time.

Thereupon, Mr. Speaker McNally declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 494** had been read, for the second time.

Senate Bill No. 10 -- Taxes, Exemption and Credits -- As introduced, exempts from sales tax, registration fee, and motor vehicle privilege tax, any motor vehicle sold to a veteran or service member who has a service-connected disability and who is eligible for a United States department of veterans affairs automobile grant under the Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970. Amends TCA Section 5-8-102; Title 55, Chapter 4 and Title 67, Chapter 6.

On motion, Senate Bill No. 10 was made to conform with **House Bill No. 15**.

On motion, House Bill No. 15, on same subject, was substituted for Senate Bill No. 10.

On motion of Senator Watson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 15** passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1047 -- Public Contracts -- As introduced, requires the chief procurement officer to provide the comptroller of the treasury a list of all state contracts, grants, and the cost of each; requires the comptroller to put the list on the comptroller's website; allows chief procurement

officer to charge administrative fee for creating and maintaining the list. Amends TCA Title 3; Title 4; Title 9 and Title 12.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Contract Accountability and Responsible Employment (CARE) Act."

SECTION 2. Tennessee Code Annotated, Title 12, Chapter 3, Part 3, is amended by adding the following new section:

(a) As used in this section, "state agency" also includes institutions of higher education. "State agency" does not include the department of treasury, the Tennessee financial literacy commission, the Tennessee consolidated retirement system, or any office of a constitutional officer of this state.

(b) Prior to the procurement of a contract for services between a state agency and a private party in excess of two and one-half million dollars (\$2,500,000) and that results in the layoff or furlough of one (1) or more state employees, the state agency shall produce an economic impact statement using professionally accepted methodologies. The economic impact statement must include the information identified in § 4-33-104(b).

(c) An economic impact statement produced under subsection (b) must be submitted to the fiscal review committee for dissemination to the members of the general assembly no less than forty-five (45) days prior to the execution of the contract.

(d) Upon receipt of an economic impact statement under subsection (c), the chair of the fiscal review committee may schedule a hearing to review the economic impact statement.

(e) A state agency notified of a hearing conducted under subsection (d) shall provide the fiscal review committee, upon request, any information reasonably related to the proposed contract that the committee deems relevant; provided, that a state agency is not required to produce privileged information or any record that is not open for public inspection pursuant to state law.

(f) Upon compliance with subsections (b) and (c), nothing in this section prohibits a state agency from executing a proposed contract for services that is subject to this section.

(g) This section applies only to contracts procured on and after the effective date of this act, and does not apply to any contract for services executed on or before the effective date of this act, including, but not limited to, any option for renewal or extension of such contract.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1047**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1675 -- Taxes, Ad Valorem -- As introduced, provides continued eligibility for a disabled veteran's property tax relief during temporary periods of confinement in a nursing home or hospitalization if the disabled veteran intends to return to the residence once recovered. Amends TCA Title 67, Chapter 5, Part 7.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-702, is amended by adding the following new subsections:

(d) Elderly low-income homeowners shall continue to qualify for property tax relief while the taxpayer is temporarily hospitalized or temporarily confined in a nursing home if the taxpayer indicates an intent to return to the residence when recovered sufficiently.

(e) For purposes of this section, an elderly low-income homeowner's residence shall be determined in accordance with the principles set forth by § 2-2-122.

(f) Elderly low-income homeowners who were temporarily hospitalized or temporarily confined in a nursing home during the period beginning on or after October 3, 2017, and prior to the effective date of this act, and whose reimbursement under this section ceased during such period as a result of such temporary hospitalization or confinement, shall receive reimbursement retroactively for such period, and shall continue to receive such reimbursement in accordance with this section on or after the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 67-5-703, is amended by adding the following new subsections:

(e) Disabled homeowners shall continue to qualify for property tax relief while the taxpayer is temporarily hospitalized or temporarily confined in a nursing home if the taxpayer indicates an intent to return to the residence when recovered sufficiently.

(f) For purposes of this section, a disabled homeowner's residence shall be determined in accordance with the principles set forth by § 2-2-122.

(g) Disabled homeowners who were temporarily hospitalized or temporarily confined in a nursing home during the period beginning on or after October 3, 2017, and prior to the effective date of this act, and whose reimbursement under this section ceased during such period as a result of such temporary hospitalization or confinement, shall receive reimbursement retroactively for such period, and shall continue to receive such reimbursement in accordance with this section on or after the effective date of this act.

SECTION 3. Tennessee Code Annotated, Section 67-5-704, is amended by adding the following new subsections:

(k) A disabled veteran shall continue to qualify for property tax relief while the disabled veteran is temporarily hospitalized or temporarily confined in a nursing home if the disabled veteran indicates an intent to return to the residence when recovered sufficiently.

(l) For purposes of this section, a disabled veteran's residence shall be determined in accordance with the principles set forth by § 2-2-122.

(m) Disabled veterans who were temporarily hospitalized or temporarily confined in a nursing home during the period beginning on or after October 3, 2017, and prior to the effective date of this act, and whose reimbursement under this section ceased during such period as a result of such temporary hospitalization or confinement, shall receive reimbursement retroactively for such period, and shall continue to receive such reimbursement in accordance with this section on or after the effective date of this act.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1675**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 1905 -- County Government -- As introduced, requires members of county legislative bodies, initially after election or appointment, to complete orientation training provided by the University of Tennessee's county technical advisory service (CTAS); requires the members to complete seven hours of annual continuing education training provided by CTAS; requires the comptroller of the treasury to post online the names of members and their status with respect to compliance with the training requirements. Amends TCA Title 5, Chapter 5.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the last sentence of subdivision (a)(2) of Section 1 and substituting instead the following:

This subdivision (a)(2) does not apply to:

(A) A person appointed to fill a vacancy on a county legislative body until September 1 after the person's appointment; and

(B) An incumbent in office on the effective date of this act until the incumbent is separated from office for any reason and is subsequently elected or appointed to serve as a member of a county legislative body.

Senator Yager moved that **Senate Bill No. 1905** be placed on the Calendar for Thursday, February 22, 2018, which motion prevailed.

Senate Bill No. 2683 -- Holidays and Days of Special Observance -- As introduced, decrees "Tennessee Day of the Cowboy" to be observed on the fourth Saturday of July each year. Amends TCA Title 15, Chapter 2.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the caption and substituting instead the following:

WHEREAS, the American cowboy and cowgirl embody the pioneering spirit of the men and women who helped establish this great country; and

WHEREAS, from ranching to rodeo, from music to cuisine, cowboy and cowgirl culture and tradition continue to shape Tennessee and this nation; and

WHEREAS, cowboys and cowgirls are American icons deserving of our admiration and recognition; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 15, Chapter 2, is amended by adding the following language as a new section:

The fourth Saturday of July of each year shall be observed as the "Tennessee Day of the Cowboy and Cowgirl" to be proclaimed as such by the governor, to honor and recognize American cowboys and cowgirls and cowboy and cowgirl culture. This day shall not be a legal holiday as defined in § 15-1-101.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2683**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senate Bill No. 105 -- Sunset Laws -- As introduced, extends the Tennessee health information committee to June 30, 2018. Amends TCA Title 4, Chapter 29, Part 2 and Section 56-2-125.

Senator Bell moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-238(a), is amended by deleting subdivision (52).

SECTION 2. Tennessee Code Annotated, Section 56-2-125, is amended by deleting subsection (c).

SECTION 3. Tennessee Code Annotated, Section 56-2-125, is amended by deleting subsection (d) and substituting instead the following:

(d)(1) As required by HIPAA, the all payer claims database shall not publicly disclose any individually identifiable health information as defined in 45 CFR 160.103. Use of the all payer claims database shall be subject to restrictions required by HIPAA and other applicable privacy laws and policies. The all payer claims database shall be accessed only by staff or a designated entity authorized in writing by the commissioner of finance and administration to perform the analyses contemplated by this section. The commissioner shall develop procedures and safeguards to protect the integrity and confidentiality of any data contained in the all payer claims database.

(2)(A)(i) The all payer claims database, summaries, source, or draft information used to construct or populate the all payer claims database, patient level claims data, reports derived from the all payer claims database, and other information submitted under this section, whether in electronic or paper form, shall not be considered a public record and shall not be open for inspection by members of the public under § 10-7-503(a)(1). The information contained in the all payer claims database shall be considered confidential and not subject to subpoena.

(ii) The commission may promulgate rules to authorize the public release of reports derived from the information. Any release of reports shall not result in such information losing its confidentiality or cause it to be admissible, except in administrative proceedings authorized under the rules adopted by the commissioner.

(B) The commissioner shall, through memoranda of understanding, allow the use of the all payer claims database by the department of finance and administration, the department of health, the department of mental health and substance abuse services, the department of intellectual and developmental disabilities, and other departments of state government for the purposes listed in subdivision (b)(1).

(C) Except for officials of the state or those officials' designees as permitted by subdivision (d)(1), nothing in this section shall be construed as permitting access to or discovery of the source or draft information used to construct or populate the all payer claims database.

SECTION 4. Notwithstanding § 4-29-112, the Tennessee health information committee, created by § 56-2-125, shall terminate and shall cease to exist upon the effective date of this act.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 105**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

MOTION

Senator Norris moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 778**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 778 -- General Assembly, Recess & Reconvene -- Recesses general assembly for President's Day holiday.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 778** was concurred in by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Haile, **Senate Bill No. 2024** was recalled from the Committee on State and Local Government.

REFERRAL OF BILL

Senator Haile moved that Senate Bill No. 2024 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

MOTION

On motion of Senators Bailey, Bowling, Gresham, Harris, Jackson, Lundberg, Niceley, Norris and Pody, their names were added as sponsors of **Senate Bill No. 10**.

On motion of Senator Jackson, his name was added as sponsor of **Senate Bill No. 244**.

On motion of Senator Pody, his name was added as prime sponsor of **Senate Bill No. 1004**.

On motion of Senator Beavers, her name was removed as sponsor of **Senate Bill No. 1004**.

On motion of Senator Haile, his name was added as sponsor of **Senate Bill No. 1486**; and **House Joint Resolutions Nos. 751, 752 and 753**.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

On motion of Senator Tate, his name was added as sponsor of **Senate Bill No. 1510**.

On motion of Senators Yager, Bailey, Bowling, Briggs, Crowe, Gresham, Jackson, Lundberg and Pody, their names were added as sponsors of **Senate Bill No. 1675**.

On motion of Senators Bailey, Gresham and Harris, their names were added as sponsors of **Senate Bill No. 1688**.

On motion of Senator Swann, his name was added as sponsor of **Senate Bill No. 1717**.

On motion of Senators Ketron and Bowling, their names were added as sponsors of **Senate Bill No. 1720**.

On motion of Senator Roberts, his name was added as prime sponsor of **Senate Bill No. 1728**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bills Nos. 1784, 1829 and 1852**.

On motion of Senators Massey and Bell, their names were added as sponsors of **Senate Bills Nos. 1797 and 1798**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bills Nos. 1804 and 2670**.

On motion of Senators Yager and Crowe, their names were added as sponsors of **Senate Bill No. 1927**.

On motion of Senators Massey, Swann, Jackson and Watson, their names were added as sponsors of **Senate Bill No. 1949**.

On motion of Senator Bailey, his name was added as sponsor of **Senate Bills Nos. 2058 and 2254**.

On motion of Senator Harris, his name was added as sponsor of **Senate Bill No. 2092**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bills Nos. 2121 and 2504**.

On motion of Senators Harris and Yarbro, their names were added as sponsors of **Senate Bill No. 2133**.

On motion of Senator Harris, his name was removed as sponsor of **Senate Bill No. 2239**.

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 2246**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 2256**.

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

On motion of Senator Bowling, her name was added as prime sponsor of **Senate Bill No. 2298.**

On motion of Senator Harris, his name was removed as sponsor of **Senate Bill No. 2298.**

On motion of Senator Niceley, his name was added as sponsor of **Senate Bill No. 2725.**

On motion of Senators Green and Pody, their names were added as sponsors of **Senate Joint Resolution No. 494.**

On motion of Senators Haile and Yager, their names were added as sponsors of **House Joint Resolution No. 748.**

On motion of Senator Yager, his name was added as sponsor of **House Joint Resolutions Nos. 749 and 761.**

On motion of Senators Harper and Norris, their names were added as sponsors of **House Joint Resolution No. 750.**

On motion of Senators Massey, Briggs and Mr. Speaker McNally; and Senators Bell and Watson, their names were added as sponsors of **House Joint Resolution No. 754.**

On motion of Senator Pody, his name was added as sponsor of **House Joint Resolution No. 756.**

On motion of Senators Crowe, Kelsey and Pody, their names were added as sponsors of **House Joint Resolution No. 757.**

On motion of Senator Stevens, his name was added as sponsor of **House Joint Resolution No. 758.**

ENGROSSED BILLS

February 15, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 105, 1047, 1485, 1675, 1688, 1736, 1927, 2254, 2347, 2683 and 2685; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 15, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 770, 771, 772, 773, 774, 775, 776 and 777; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

February 15, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 791, adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 15, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1551, substituted for House Bill on same subject and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 15, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 571, concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

February 15, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bill No. 1551; and Senate Joint Resolution No. 571; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 16, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 760, 761 and 778; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

February 14, 2018

The Speaker announced that he had signed the following: Senate Bills Nos. 1493, 1517, 1522, 1524, 1525, 1526, 1527, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1550, 1554, 1556, 1559, 1562 and 1566.

SIGNED

February 15, 2018

The Speaker announced that he had signed the following: Senate Joint Resolution No. 571.

MESSAGE FROM THE HOUSE

February 14, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1469, 1481, 1493, 1517, 1522, 1524, 1525, 1526, 1527, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1550, 1554, 1556, 1559, 1562 and 1566; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

February 15, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 571, signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

February 14, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 513, 526, 527, 532, 533, 536, 539, 540, 541, 547, 548, 549, 550, 553, 556, 558, 559, 560, 561, 570 and 592; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

February 15, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1469, 1481, 1493, 1517, 1522, 1524, 1525, 1526, 1527, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1550, 1554, 1556, 1559, 1562 and 1566; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

February 14, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 513, 526, 527, 532, 533, 536, 539, 540, 541, 547, 548, 549, 550, 553, 556, 558, 559, 560, 561, 570 and 592; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

THURSDAY, FEBRUARY 15, 2018 -- 53RD LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

February 15, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 1561, with his approval.

DWIGHT E.TARWATER,
Counsel to the Governor

ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, February 22, 2018, which motion prevailed.